



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

order on the receiver. *Held*, that he is entitled to the order. *In re Hecox*, 164 Fed. 823 (C. C. A., Eighth Circ.).

The amendment of 1903 to § 3 *a* of the Bankruptcy Act of 1898 declares it to be an act of bankruptcy that because of insolvency a receiver has been put in charge of property, under a state law. An adjudication of involuntary bankruptcy is conclusive of the commission of the acts of bankruptcy charged. *In re American Brewing Co.*, 112 Fed. 752. And there can be no collateral attack on the decision of the state court: it can only be reviewed in direct proceedings. *Edelstein v. United States*, 149 Fed. 636. As the Bankruptcy Act is a national law, passed pursuant to the power given to Congress by the Constitution, it suspends the operation of all conflicting state bankruptcy laws. *In re Gutwillig*, 90 Fed. 475. As is pointed out in the principal case, it is therefore a mere matter of judicial courtesy for the federal court to direct its trustee to petition the state court for an order. Indeed, if the state court should in any way try to retain such property in its possession the federal court could enforce its decree by means of physical force exercised through its official agents. See *Ex parte Siebold*, 100 U. S. 371, 395.

**BILLS OF PEACE — BILL TO AVOID NUMEROUS ACTIONS OF TRESPASS AT LAW.** — The plaintiff brought a bill to enjoin the defendant from continually trespassing on his land. The defendant did not deny the plaintiff's title, but demurred on the ground that the plaintiff had an adequate remedy at law. *Held*, that the demurrer be overruled. *Cragg v. Levinson*, 37 Nat. Corp. Rep. 614 (Ill., Sup. Ct., Dec. 15, 1908). See NOTES, p. 371.

**CONFLICT OF LAWS — EFFECT AND PERFORMANCE OF CONTRACTS — NOTE MADE IN ONE STATE AND PAYABLE IN ANOTHER.** — A promissory note was made in Kansas and payable in Missouri. *Held*, that its negotiability is governed by the law of Missouri. *Sykes v. Citizens' Nat. Bank*, 98 Pac. 206 (Kan.).

The negotiability of a note is generally governed by the law of the place where it is made. *Corbin v. Planters Nat. Bank*, 87 Va. 661. But there seems to be considerable conflict as to what law governs when the note is made in one place and payable in another. It has even been said, on the erroneous assumption that negotiability relates to the form of the remedy instead of to the nature of the contract, that the *lex fori* governs. See *Roads v. Webb*, 91 Me. 406. And it has been held that the parties may elect to be governed by the law of either jurisdiction. *Arnold v. Potter*, 22 Ia. 194. And that the naming of a place for payment shows *prima facie* intent to be governed by that law. *Shoe and Leather Nat. Bank v. Wood*, 142 Mass. 563. The weight of authority is with the main case that the law of the place of payment governs in the absence of express stipulation to the contrary. *Brown v. Gates*, 120 Wis. 349. The correct view, it seems, is that the law of the place where the note is made should govern. *Ory v. Winter*, 4 Mart. (N. S.) (La.) 277; 2 Beale, Cas. Confl., 511 and note.

**CONFLICT OF LAWS — LEGITIMACY AND ADOPTION — EXTRA-TERRITORIAL EFFECT OF ADOPTION.** — A of Georgia adopted B of Georgia, and died leaving land in Alabama. B claimed that he was entitled to succeed to this land. By a statute in Georgia an adopted child gained the right of inheritance. By a statute in Alabama adoption gave the person adopted the right to inherit, but the adoption was required to be by acknowledgment and registration in the probate court. *Held*, that B is not entitled to the land. *Brown v. Finley*, 47 So. 577 (Ala.). See NOTES, p. 372.

**CONSTITUTIONAL LAW — TRIAL BY JURY — COMPULSORY REFERENCE OF ACCOUNTS IN CIVIL CASE.** — An action in which a counterclaim involved a long examination of accounts was referred over the plaintiff's objection. *Held*, that this compulsory reference is unconstitutional because it denies the plaintiff